

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 14<sup>th</sup> DAY OF OCTOBER 2002, AT 7:15 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Mary W. Biggs	-Chair
	Larry N. Rush	-Vice Chairman
	Gary D. Creed	-Supervisors
	John A. Muffo	
	James D. Politis	
	C.P. Shorter ( Arrived 7:40 p.m.)	
	Jeffrey D. Johnson	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	T.C. Powers, Jr.	-Planning Director
	Robert C. Parker	-Public Information Officer
	Vickie L. Swinney	-Secretary
ABSENT:	Annette S. Perkins	- Supervisor

### **CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

The Chair called the meeting to order and the Pledge of Allegiance was recited.

### **PUBLIC HEARINGS**

Proposed Special Ordinance Establishing the Dates for Equalization Review **Proposed Special Ordinance establishing the dates for equalization review** with the deadline proposed for receipt of appeals to the Board of Equalization on February 3, 2003 and the deadline proposed for disposition of appeals by the Board of Equalization on March 3, 2003.

There being no speakers, the public hearing was closed.

### **PUBLIC ADDRESS SESSION**

There being no speakers, the Public Address Session was closed.

### **ADD TO THE AGENDA - ADDENDUM**

On a motion by James D. Politis, seconded by Gary D. Creed and carried unanimously, the following addenda dated October 14, 2002 were added to the agenda:

1. Schedule Public Hearing - Joint Public Hearing-Board of Supervisors and Department of Transportation (VDOT)
2. Donation of \$500.00 to the Veterans Day Parade - Christiansburg High School

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Larry N. Rush	None	Annette S. Perkins
James D. Politis		C.P. Shorter
Gary D. Creed		
John A. Muffo		
Mary W. Biggs		

### **CONSENT AGENDA**

On a motion by Larry N. Rush, seconded by James D. Politis and carried unanimously, the Consent Agenda dated October 14, 2002 was approved.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	Annette S. Perkins
Gary D. Creed		C.P. Shorter
James D. Politis		

Larry N. Rush  
Mary W. Biggs

**Schedule Public Hearing - Easement to Public Service Authority - Prices Fork Water Project**

On a motion by Larry N. Rush, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that a Public Hearing be scheduled for Monday, November 25, 2002 at 7:15 p.m. or as soon thereafter, in the Board of Supervisors Meeting Room in the Montgomery County Government Center located at 755 Roanoke Street, Christiansburg, Virginia in order to consider the public's comments on the following proposed easements to be conveyed by the Board of Supervisors to the Montgomery County Public Service Authority for the Prices Fork Water Project. Information related thereto may be reviewed at the Montgomery County Administration Office, Montgomery County Government Center, 755 Roanoke St., Suite 2E, Christiansburg, Va., Monday through Friday between the hours of 8:30 a.m. and 5:00 p.m. or by calling (540) 382-6954.

1. A 20 foot easement in width along with a 20 foot temporary construction easement along the County's property identified as Tax Parcel 66-A-93E1 located adjacent to Merrimac Road, shown more particularly on the plan entitled "Prices Fork Water System Improvements"
2. A 20 foot easement in width along with a 20 foot temporary construction easement along the County's property identified as Tax Parcel 66-A-93 located adjacent to Merrimac Road, shown more particularly on the plan entitled "Prices Fork Water System Improvements"
3. A 20 foot easement in width along with a 20 foot temporary construction easement along the County's property identified as a portion of the Huckleberry Trail located adjacent to Merrimac Road, shown more particularly on the plan entitled "Prices Fork Water System Improvements"

**Economic Development - Supplemental Appropriation**

On a motion by Larry N. Rush, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2003, for the function and in the amount as follows:

920 Debt Service \$200,000

The source of funds for the foregoing appropriation is as follows:

Revenue Account:

419108 Recovered Costs \$200,000

Said resolution appropriates recovered costs from the IDA for the first bond payment for bonds to be issued in October, 2002.

**OLD BUSINESS**

**Special Use Permit Request - Sandy A. Bennett**

On a motion by Larry N. Rush, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Sandy A. Bennett request for a Special Use Permit, with possible conditions, in Residential (R-2) to allow a private garage in excess of 850 square feet and sixteen (16) feet in height, is hereby approved subject to the following conditions:

1. The garage shall not exceed 2400 square feet in area.
2. The garage shall not exceed 17 feet in height.

The property is located at 2122 Riner Road and is identified as Tax Parcel No. 106-A-72 (Account ID #003541) in the Riner Magisterial District. The property lies in an area designated as Agriculture Area in the Comprehensive Plan.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	Annette S. Perkins
Larry N. Rush		C.P. Shorter
John A. Muffo		
James D. Politis		
Mary W. Biggs		

**Special Use Permit Request - Carilion Health Corporation (Agent: Draper Aden Associates)**

A motion was made by Supervisor Rush, seconded by Supervisor Creed, to put the request on the table for discussion.

After a brief discussion, Supervisor Creed made a motion to amend the conditions to include the following:

- Greenhouse building 14, as shown on the above master plan, shall be served by public water.

On a motion by Gary D. Creed, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Carilion Health Corporation (Agent: Draper Aden Associates) request for a Special Use Permit, with possible conditions, in Planned Unit Development- Commercial (PUD-COM) to amend the Concept Development Plan is hereby approved subject to the following conditions:

1. Property shall be developed in substantial conformance with the master plan prepared by Draper Aden Associates dated August 1, 2002, last revised September 4, 2002.
2. Warehouse buildings 12 and 13, as shown on the above master plan, shall be served by public water and public sewer.
3. Greenhouse building 14, as shown on the above master plan, shall be served by public water.
4. Signage shall be limited to 300 square feet in total area. No general advertising (billboards) signs shall be permitted. A comprehensive signage plan indicating all existing and proposed signs shall be submitted for approval by the Zoning Administrator prior to issuance of building permits. Height of free-standing signs shall not exceed fifteen (15) feet above existing grade.

The property is located at 2900 Lamb Circle and is identified as Tax Parcel No. 104-A-26 (Acct ID #009207) in the Riner Magisterial District. The property currently lies in an area designated as Planned Commercial in the Comprehensive Plan.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Larry N. Rush	None	Annette S. Perkins
Gary D. Creed		C.P. Shorter
John A. Muffo		
James D. Politis		

October 14, 2002

Page 5 of 24

Mary W. Biggs

**Henry Tieleman Application for Addition of 73 Acres to Agricultural & Forestal District – 5 (Riner)**

On a motion by James D. Politis, seconded by John A. Muffo and carried unanimously,

**ORDINANCE 2002-15  
An Ordinance Creating an Addition  
to Agricultural and Forestal District  
AFD-5 Within Montgomery County, Virginia**

WHEREAS, Henry Tieleman has filed applications for addition to AFD-5 on May 15, 2002, which Agricultural and Forestal District was created by an ordinance adopted on the 2<sup>nd</sup> day of March, 1981 and renewed by an ordinance adopted on the 10<sup>th</sup> day of October, 1988 and by an ordinance adopted on October 15, 1996; and

WHEREAS, The applications were referred to the Planning Commission on the 10<sup>th</sup> day of June, 2002; and

WHEREAS, The applications were referred to the Agricultural and Forestal District Advisory Committee and said Committee has reviewed the application and reported its findings and recommendations on the 10<sup>th</sup> day of September, 2002; and

WHEREAS, The Planning Commission did publish notice of the pendency of the applications on the 22<sup>nd</sup> day of June, 2002 in The Roanoke Times, a newspaper of general circulation within Montgomery County, Virginia; and

WHEREAS, The Planning Commission held a public hearing on the 18<sup>th</sup> of September, 2002 and thereafter forwarded the applications with its findings and recommendations for approval to the Board of Supervisors; and

October 14, 2002

Page 6 of 24

WHEREAS, The Board of Supervisors, after proper notice, held its public hearing on the 23<sup>rd</sup> day of September, 2002.

NOW, THEREFORE, BE IT HEREBY ORDAINED, By the Board of Supervisors of Montgomery County, Virginia:

1. That the addition to Agricultural and Forestal Districts, AFD-5, is in accordance with the provision of Title 15.2, Chapter 43 Sections 15.2-4300 through 15.2-4314, Code of Virginia, 1950, as amended.
2. That said addition shall consist of approximately 73 acres in the Riner Magisterial District of Montgomery County, and shall include the following parcels:

a. Henry Tieleman      136-A- 30,31      73 acres

The vote on the foregoing ordinance was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	Annette S. Perkins
Larry N. Rush		C.P. Shorter
Gary D. Creed		
James D. Politis		
Mary W. Biggs		

**Board of Equalization - Ordinance for Dates of Application and Disposition**

On a motion by Gary D. Creed, seconded by John A. Muffo and carried unanimously,

**Ordinance 2002-16**  
**An Ordinance to Provide Application**  
**and Disposition Deadlines for the Orderly**  
**and Efficient Processing of Equalization**  
**Of Real Estate Assessments**

BE IT ORDAINED, By the Board of Supervisors of the County of Montgomery, Virginia that the deadline for receipt of applications to the Montgomery County Board of Equalization shall be February 3, 2003 and the deadline for disposition of appeals by the Board of Equalization shall be March 3, 2003.

This action shall be consistent with Section 58.1-3378 of the Code of Virginia, 1950, as amended, which allows the Board of Supervisors to provide for application and disposition deadlines for the orderly and efficient processing of equalization of real estate assessments.

The vote on the foregoing ordinance was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
James D. Politis	None	Annette S. Perkins
John A. Muffo		C.P. Shorter
Larry N. Rush		
Gary D. Creed		
Mary W. Biggs		

### **NEW BUSINESS**

#### **League of Women Voters - Transfer from General Contingencies**

On a motion by Larry N. Rush, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Montgomery County Board of Supervisors that a transfer is hereby authorized as follows:

#### **FROM:**

950    General Contingencies                    (\$200)

#### **TO:**

910    Other Agencies  
         League of Women Voters                    \$200

Said resolution transfers funds from General Contingencies to support the League of Women Voters publication of the 2003 Facts for Voters.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	Annette S. Perkins
Larry N. Rush		C.P. Shorter
John A. Muffo		
James D. Politis		
Mary W. Biggs		



**Community Development Block Grant (CDBG) Residential Anti-Displacement and Relocation Assistance Plan - Free Clinic of the New River Valley**

On a motion by John A. Muffo, seconded by Gary D. Creed and carried unanimously,

WHEREAS, The Virginia Community Development Block Grant (VCDBG) Program provides funding to assist local governments in the development of Community Service Facilities which are physical facilities targeting the provision of important services to low- and moderate income persons and the greater community; and

WHEREAS, The Free Clinic of the New River Valley will provide expanded medical/ pharmaceutical and expanded dental for the benefit of low-to-moderate income citizens; and

WHEREAS, The proposed expansion of the Free Clinic of the New River Valley will generate a 50.7% increase in services of which 80% is in the medical/ pharmaceutical field and 20% is in the dental field that will benefit low-to-moderate income citizens; and

WHEREAS, The project has a total estimated cost of \$638,626, of which \$138,926 will be donated costs by way of in-kind administrative and inspection services, donated materials, funds, equipment, and various other services; and

WHEREAS, Montgomery County will ascertain substantial compliance with the Residential Anti-Displacement And Relocation Assistance Plan, as required by the Department of Housing and Community Development as follows:

1. The County of Montgomery will replace all occupied and vacant occupiable low/moderate income dwelling units demolished or converted to a use other than as low/moderate income dwelling unit as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended. All replacement housing will be provided within three (3) years of the commencement of the demolition of rehabilitation relating to conversion.
2. Before obligating or expending funds that will directly result in such demolition or conversion, the County will make public and advise the state that it is undertaking such an activity and will submit to the state, in writing, information that identifies:
  - a. A description of the proposed activity;
  - b. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate income dwelling units as a direct result of the assisted activity;

October 14, 2002

Page 9 of 24

- c. A time schedule for the commencement and completion of the demolition of conversion;
  - d. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
  - e. The source of funding and a time schedule for the provision of replacement dwelling units’;
  - f. The basis for concluding that each replacement dwelling unit will remain a low/moderate income dwelling unit for at least 10 years from the date of initial occupancy; and
  - g. Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units is consistent with the housing needs of low- and moderate-income households in the jurisdiction.
3. Montgomery County will provide relocation assistance to each low/moderate income household displace by the demolition of housing or by the direct result of assisted activities. Such assistance shall be that provided under Section 104(d) of the Housing and Community Development Act of 1974, as amended, or the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.
4. The County’s project includes the following activities:
- a. The Free Clinic of New River Valley Relocation and Expansion Project involves the renovation of the old Purchasing and Human Resources building located at 215 Roanoke Street. The 8,044 sf. facility will be a permanent, expanded space for the Free Clinic of the New River Valley. This will allow the Free Clinic, which serves low-income citizens, who lack health insurance, to serve more patients and to expand the services it offers to patients. Since occupying the current rented facility (2,500 sf.) in 1996, the Free Clinic’s number of patients annually has increased 52% from 1,785 patients to 2,704 patients in 2001. This project will allow an additional 7,295 units of service (medical and dental visits and prescriptions) per year for low-income citizens of the New River Valley, a value of \$463,361 per year. Permanent expanded space will also create opportunities for additional program developments beyond this project. Attached as part of this RFP are: map of the proposed services; estimated project budget by line item; and project narrative as outlined in Montgomery County’s application for Community Development Block Grant funds.
5. The activities as planned will not cause any displacement from or conversion of occupiable structures. As planned, the project calls for the use of existing right-of-way or easements to be purchased or the acquisition of tracts of land that do not contain housing. The County will work with the grant management staff, engineers, project area residents, and the Department of Housing and Community Development to insure that any changes in project activities do not cause any displacement from or conversion of occupiable structures. In all cases, an occupiable structure will be defined as a dwelling that meets local building codes or a dwelling that can be rehabilitated to

October 14, 2002

Page 10 of 24

meet code for \$25,000 or less.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia does hereby agree to ascertain substantial compliance with the Residential Anti-Displacement And Relocation Assistance Plan as described above for the VCDBG Program for the Free Clinic of New River Valley Relocation and Expansion Project.

FURTHER, BE IT RESOLVED, The County Administrator, Jeffrey D. Johnson is hereby authorized to sign and submit appropriate documents for ascertaining a contract with the Department of Housing and Community Development for Virginia Community Development Block Grant funds for the Free Clinic of New River Valley Relocation and Expansion Project.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	Annette S. Perkins
James D. Politis		C.P. Shorter
Larry N. Rush		
Gary D. Creed		
Mary W. Biggs		

#### **Change to the FY 2002-2003 Position Classification Plan**

On a motion by John A. Muffo, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby approves and authorizes the following changes to the FY 2002-203 Position Classification Plan:

Addition of New Position - Office Assistant ( Part-Time, Pay Grade 8)

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Larry N. Rush	None	Annette S. Perkins
John A. Muffo		C.P. Shorter
James D. Politis		

Gary D. Creed  
Mary W. Biggs

**Request for Special License Fees on Motor Vehicles, Motorcycles, Trucks, Trailers and Semi-Trailers to Benefit School Athletics.**

On a motion by Larry N. Rush, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board hereby requests the Virginia General Assembly to grant the County the authority to issue special license fees on motor vehicles, motorcycles, trucks, trailers and semi-trailers to benefit School Athletics.

BE IT FURTHER RESOLVED, The annual fee for the Special License shall be an amount of money contributed on a volunteer basis, to the designated School Athletic Fund in addition to the prescribed fee for the County License and the amount collected above and beyond the fee for the County License shall be paid into the County treasury and credited to a special non-reverting fund for the particular designated School Athletic Fund.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Larry N. Rush	None	Annette S. Perkins
James D. Politis		C.P. Shorter
Gary D. Creed		
John A. Muffo		
Mary W. Biggs		

**Montgomery County's Legislative Priorities for 2003**

On a motion by John A. Muffo, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia does hereby reaffirm Montgomery County's Legislative Priorities for 2003, adopted on June 24, 2002 and forwarded to the Virginia Association of Counties (VACo) to be considered for inclusion in VACo's Legislative Program and Policy Statement.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Larry N. Rush	None	Annette S. Perkins
John A. Muffo		C.P. Shorter
James D. Politis		
Gary D. Creed		
Mary W. Biggs		

### **Capital Improvement Program**

On a motion by John A. Muffo, seconded by Gary D. Creed and carried unanimously,

WHEREAS, The Capital Improvement Program (CIP) plan has been developed for a 5 Year period, FY 2002-2003 through 2006-2007; and

WHEREAS, This 5 Year CIP has been reviewed and approved by the Planning Commission; and

WHEREAS, Funding for FY 2002-2003 projects was provided through the Capital Budget and appropriated by the Board of Supervisors; and

WHEREAS, Funding levels for projects listed in years 2004-2007 were estimates for planning purposes only; and

WHEREAS, In excess of \$85 million in projects have been deferred past Fiscal Year 2007; and

WHEREAS, Economic conditions combined with the impact of state budget reductions may limit dollars available for the County's operating and capital budgets; and

WHEREAS, With the exception of the Courthouse renovation project, it is the intent of the Board of Supervisors that no additional debt be issued for capital projects prior to Fiscal Year 2008.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Capital Improvement Program request process will be deferred for Fiscal Year 2004.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	Annette S. Perkins
James D. Politis		C.P. Shorter

Gary D. Creed  
Larry N. Rush  
Mary W. Biggs

**Resolution of Appreciation -Virginia's First Regional Industrial Facility Authority-Joseph V. Gorman, Jr.**

On a motion by Larry N. Rush, seconded by Gary D. Creed and carried unanimously,

***WHEREAS, Joseph V. Gorman, Jr.*** has faithfully served as a member of Virginia's First Regional Industrial Facility Authority since October 1, 1998; and

***WHEREAS,*** Montgomery County recognizes the excellent and dedicated service that ***Joseph V. Gorman, Jr.*** has rendered the citizens of Montgomery County.

***NOW, THEREFORE, BE IT RESOLVED,*** The Board of Supervisors of Montgomery County, Virginia, on behalf of the entire citizenship, extends a unanimous vote of appreciation and gratitude to ***Joseph V. Gorman, Jr.***

***BE IT FURTHER RESOLVED,*** That the original of this resolution be presented to ***Joseph V. Gorman, Jr.*** and that a copy be made a part of the official Minutes of Montgomery County.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
James D. Politis	None	Annette S. Perkins
Gary D. Creed		C.P. Shorter
Larry N. Rush		
John A. Muffo		
Mary W. Biggs		

**Resolution of Recognition - Father Harry B. Scott, III**

On a motion by James D. Politis, seconded by John A. Muffo and carried unanimously,

***WHEREAS, Father Harry B. Scott, III*** was the beloved husband of Sheila Hering, and devoted father of Anne Karrick, Julia Yarrington, Vella Catherine, William Dabney and Frederic Alexander; and

**WHEREAS, Father Harry B. Scott, III** was ordained to the diaconate in June, 1972 and ordained into the priesthood in December, 1972, and has been the rector of St. Peter's Anglican Catholic Church in Christiansburg since 1978; and

**WHEREAS, Father Scott** was also priest-in-charge of St. Andre's Church in Kingsport, Tennessee and the Church of St. Michael the Archangel in Hinton, West Virginia; and

**WHEREAS, Father Scott** has been archdeacon of the Diocese of the Mid-Atlantic States since 1985, which consists of 22 parishes and missions in Virginia, Delaware, Maryland, West Virginia and northeastern Tennessee; and

**WHEREAS, Father Scott** came to the Montgomery County area in 1974 at a time when our county was in deep economic recession and had a very high unemployment; and

**WHEREAS, In 1975 Father Scott** was the cofounder of the Montgomery County Emergency Assistance Program, which provides food, clothing, and furniture banks and financial aid to the temporarily homeless and/or destitute; and

**WHEREAS, Father Scott** has been in leadership roles in human services such as the New River Community Action and the Montgomery County Social Services Board; and

**WHEREAS, Father Scott** has touched thousands of lives in Montgomery County and has set an incredible example for us to follow to make our community a better place.

**NOW, THEREFORE, BE IT RESOLVED,** The Board of Supervisors of Montgomery County, Virginia offers its deepest condolences and most heartfelt sympathy to the loved ones and many friends of **Father Harry B. Scott, III**; and

**BE IT FURTHER RESOLVED,** That the original of this resolution be presented to the family of **Father Harry B. Scott, III** and a copy be made a part of the official Minutes of Montgomery County, that his memory may be so honored and ever cherished.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	Annette S. Perkins
John A. Muffo		C.P. Shorter
Larry N. Rush		
James D. Politis		
Mary W. Biggs		

**Schedule Public Hearing - Joint Public Hearing-Board of Supervisors and Department of Transportation (VDoT)**

On a motion by Gary D. Creed, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby schedules a joint public hearing with the Virginia Department of Transportation (VDoT) on Wednesday, November 13, 2002 at 7:15 p.m. in the Board Chambers, Montgomery County Government Center, 755 Roanoke Street, Christiansburg, Virginia to hear citizens' comments on the proposed **Six Year Plan for Improvement of the Secondary System of Highways for Montgomery County** and establishment of priorities for the 2003-2004 budget year. Rural Addition requests will also be received at this public hearing.

BE IT FURTHER RESOLVED, That the Virginia Department of Transportation will assure proper advertising of said public hearing.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Larry N. Rush	None	Annette S. Perkins
James D. Politis		C.P. Shorter
Gary D. Creed		
John A. Muffo		
Mary W. Biggs		

**Veteran's Day Parade - Transfer from General Contingencies**

On a motion by Larry N. Rush, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, By the Montgomery County Board of Supervisors that a transfer is hereby authorized as follows:

**FROM:**

950 General Contingencies (\$500)

**TO:**

October 14, 2002

Page 16 of 24



910	Other Agencies	\$500
	29103VP	

Said resolution transfers funds from General Contingencies to support the annual Veterans Day Parade sponsored by the Christiansburg High School.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
James D. Politis	None	Annette S. Perkins
Gary D. Creed		C.P. Shorter
John A. Muffo		
Larry N. Rush		
Mary W. Biggs		

## INTO WORK SESSION

On a motion by Gary D. Creed, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. Fire/Rescue - Steve Ayers, Emergency Services Communications System
2. Barn Road/Tyler Road Improvement

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	Annette S. Perkins
Gary D. Creed		C.P. Shorter
James D. Politis		
Larry N. Rush		
Mary W. Biggs		

### **Barn Road/Tyler Road Intersection**

The Planning Director described the Barn Road/Tyler Road Intersection project. Road improvements are needed on Barn Road and Tyler Road due to increased traffic from the Carilion Medical Center and Medical Buildings on Barn Road. The developer has requested the closing of Country Meadow Road and redirecting traffic over an improved Barn Road to a signalized intersection with an improved Tyler Road. This would improve the functioning and safety of the entire I-81 interchange area. The developer, along with Carilion Medical Center, has proposed to contribute \$200,000 in private funds, which could be used to match \$200,000 in state revenue sharing funds to fund the project. It would be 6 years or more before the project would be completed if it remained on the Six Year Road Plan.

### **Montgomery Emergency Response Information Team (MERIT)**

Steve Ayers, Emergency Services Communications System, presented the Montgomery Emergency Response Information Team (MERIT) System to the Board of Supervisors. The MERIT System is a centralized answering point for public safety agencies within Montgomery County. The MERIT Emergency Communications Center would receive police, fire and EMS emergency requests from the public through an enhanced 911 telephone system. This system would enhance the emergency dispatch system within Montgomery County by receiving and processing 911 emergency calls and non-emergency calls and by dispatching Police, Fire and Emergency Medical Services units in a prompt and efficient manner.

### **OUT OF WORK SESSION**

On a motion by Larry N. Rush, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	Annette S. Perkins
C.P. Shorter		
James D. Politis		
Larry N. Rush		
John A. Muffo		
Mary W. Biggs		

### **COUNTY ADMINISTRATOR'S REPORT**

Fire & Rescue Consultant - The Assistant County Administrator updated the Board on the status of a Fire & Rescue Consultant. A Request For Proposal (RFP) was sent out and the Review Committee is reviewing each submittal and hopes to award the contract by November 2002. The Fire & Rescue Consultant will conduct a comprehensive review of the entire fire and rescue system. The consultant will look at what type of fire and rescue system currently exists in Montgomery County and will recommend what is needed in the future.

Use of School Gyms The County Administrator reported that a meeting was held with himself, the Town Mangers and the Facilities & Maintenance Director for the Schools. The Facilities and Maintenance Director will forward a schedule for all the school gyms.

Comprehensive Plan Meeting on Land Conservation Tools The Planning Director updated the Board on the meeting on Land Conservation Tools as part of revising the Comprehensive Plan. Two meetings were held, one in the Prices Fork area and one in the Riner area. Both meetings were well attended. Participants where asked to select five issues of greatest concern about land conservation. The Riner area indicated that Agriculture/Preservation and Sprawl/Growth issues were major concerns while the Prices Fork area was more concerned with Agricultural/Environmental, Economic Development.

## **BOARD MEMBERS' REPORTS**

Supervisor Creed Elliston Volunteer Fire Department Supervisor Creed announced that the Elliston Volunteer Fire Department received a FEMA Grant for the purchase of equipment. The grant requires a 10% match from the EVFD in the amount of \$7,810.00. Supervisor Creed believes the County should appropriate this amount to the EVFD for the matching share.

Supervisor Creed made a motion to contribute \$7,810.00 to the Elliston Volunteer Fire Department for the matching share to the FEMA Grant awarded to the EVFD. The motion died due to lack of a seconded.

By consensus of the Board, this item will be added back to the October 28, 2002 agenda, in order for staff to review the request.

Eastern Montgomery High School - Football Stadium Supervisor Creed reported that he attended a football game for the EMHS. Games are still being played at the old Shaweville High School. He stated that an estimated 50% of those attending did not have a place to sit. The school is in dire need of additional seating. Supervisor Rush indicated he also attended the football game and agrees there is little seating.

Sheriff's Department Supervisor Creed announced that Montgomery County Sheriff's Department placed 1<sup>st</sup> place for Seatbelt Safety out of 26 jurisdictions.

Supervisor Politis Grants Coordinator Supervisor Politis requested that the County's Grants Coordinator assist the Fire & Rescue personnel in researching and applying for grants.

Supervisor Shorter 4-H Award Chair Biggs announced that Supervisor Shorter received an award by the Virginia Extension Agent for 4-H programs for his leadership role in the 4-H program.

Use of Vacant School Facilities Supervisor Shorter requested the assessed values of the vacant school buildings. The County Administrator reported the following:

Old Blacksburg Middle School	\$4,960,500
Old Shawsville Middle School	\$1,023,900
Bethel Elementary School	\$ 788,100

Supervisor Shorter believes that the Board needs to relay to the School Board their feelings, ideas, or concerns with the use of vacant school buildings. The Chair indicated that this issue will be added to the next County/School Liaison meeting. Supervisor Shorter suggested that a fee appraisal be done on all the vacant school buildings.

Supervisor Politis stated that maybe a non-binding referendum could be added to the ballot for the next election to see how the citizens feel about the use of vacant schools.

Supervisor Rush noted that the best solution is to sell the vacant schools and appropriate the money to reduce school debt. The Board can then begin much needed renovations on the elementary schools.

McCoy Road - Yellow Divided Lines Supervisor Shorter reported that McCoy road is need of the yellow divided lines.

Supervisor Muffo reported he attended the following:

- Blacksburg Middle School dedication held September 27, 2002
- Rotary Club - September 27, 2002. Montgomery County placed 3<sup>rd</sup> in the annual Spelling Bee Contest for the Literary Association.
- Vison 2020 meeting held at the New River Community College- September 30, 2002.

Planning Commission Supervisor Muffo reported that the Planning Commission received a rezoning request for the Blacksburg Country Club Estates for a rezoning from community business to residential. The developer would like to build duplexes and single family dwellings. By right, single-family dwellings can

be built in community business zones. Supervisor Muffo indicated there is opposition from the residents who live in Blacksburg Country Club Estates.

Supervisor Biggs Voting Credentials for the VACo Annual Business Meeting Supervisor Biggs reported that each County designates a representative of its Board of Supervisors to cast its vote at the Annual Business Meeting. Supervisor Biggs was chosen as Montgomery County's representative and Supervisor Perkins as the alternate representative.

League of Women Voters - Annual Breakfast Meeting Supervisor Biggs reported that the League of Women Voters are planning their Annual Breakfast Meeting with the Board of Supervisors and would like to know a date that the Board could meet. Board members are to get back with Supervisor Biggs with a date.

### **INTO CLOSED MEETING**

On a motion by C.P. Shorter, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

- Section 2.2-3711      (7)      Consultation with Legal Counsel and Briefings from Staff Members or Consultants Pertaining to Actual or Probable Litigation, Where Such Consultation or Briefing in Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body; and Consultation with Legal Counsel Employed or Retained by a Public Body Regarding Specific Legal Matters Requiring Provision of Legal Advice by Such Counsel
1.      USCOC of Virginia RSA #3 v. Montgomery County Board of Supervisors
  2.      County Courthouse
  3.      Christiansburg Boundary Adjustment
  4.      Radford Boundary Adjustment
- (1)      Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or

October 14, 2002

Page 21 of 24

Resignation of Specific Officers, Appointees or Employees of  
Any Public Body

1. Board of Equalization

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	Annette S. Perkins
C.P. Shorter		
James D. Politis		
Larry N. Rush		
John A. Muffo		
Mary W. Biggs		

**OUT OF CLOSED MEETING**

On a motion by Larry N. Rush, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	Annette S. Perkins
C.P. Shorter		
James D. Politis		
Larry N. Rush		
John A. Muffo		
Mary W. Biggs		

**CERTIFICATION OF CLOSED MEETING**

On a motion by C.P. Shorter, seconded by James D. Politis and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

#### VOTE

##### AYES

Larry N. Rush  
C.P. Shorter  
James D. Politis  
Gary D. Creed  
John A. Muffo  
Mary W. Biggs

##### NAYS

None

##### ABSENT DURING VOTE

Annette S. Perkins

##### ABSENT DURING MEETING

Annette S. Perkins

#### ADJOURNMENT

On a motion by James D. Politis, seconded by John A. Muffo and carried unanimously, the Board adjourned to Wednesday, October 23, 2002.

The vote on the foregoing motion was as follows:

October 14, 2002

Page 23 of 24

AYE

Gary D. Creed None

C.P. Shorter

James D. Politis

Larry N. Rush

John A. Muffo

Mary W. Biggs

NAY

Annette S. Perkins

ABSENT

The meeting adjourned at 11:00 p.m.